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**Alabama Cosmetology Act:** *Code of Alabama 1975, §34-7A-1 through §34-7A-25*

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### **Section 34-7A-1: Definitions.**

For the purposes of this chapter, the following words and phrases shall have the following meanings:

(1) **Apprentice Cosmetologist.** Any person who is engaged in the learning or acquiring of any or all practices of cosmetology and, while so learning, performs or assists in any of the practices of cosmetology in a licensed cosmetology salon under the direction of a master or instructor cosmetologist.

(2) **Apprentice Esthetician.** Any person who is engaged in the learning or acquiring of any or all practices of an esthetician and, while so learning, performs or assists in any of the practices of skin care in a licensed esthetician salon or cosmetology salon under the direction of a master or instructor esthetician or master or instructor cosmetologist.

(3) **Apprentice Manicurist.** Any person who is engaged in the learning or acquiring of any or all practices of manicuring and, while so learning, performs or assists in any of the practices of manicuring in a licensed manicurist salon or cosmetology salon under the direction of a master or instructor cosmetologist or master or instructor manicurist.

(4) **Board.** The Alabama Board of Cosmetology.

(5) **Booth Rental.** The practice of renting space within an established cosmetology salon to a sole proprietor as a legally separate business entity. A booth renter shall be a managing or master cosmetologist.

(6) **Cosmetologist.** Any person, not an apprentice or student, following or practicing cosmetology on members of the general public for compensation, and who shall have the qualifications and licensing hereinafter provided for a cosmetologist.

(7) **Cosmetology Instructor.** A cosmetologist who teaches cosmetology, or any practices thereof, in a duly registered school of cosmetology.

(8) **Cosmetology Student Instructor.** A cosmetologist who is receiving instruction in teacher's training in a duly registered school of cosmetology.

(9) **Cosmetology.** Any one or a combination of practices generally and usually performed by and known as the profession of beauty culturists, cosmeticians, cosmetologists, hairdressers or any other person holding himself or herself out as practicing cosmetology by whatever designation and within the meaning of this chapter in and upon whatever place or premises; and in particular shall include but otherwise not be limited thereby to the following or any one or a combination of practices: arranging, dressing, curling, waxing, weaving, cleansing, cutting, singeing, bleaching, coloring or similar work upon the hair of any person, by any means and/or with hands or mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions, creams or otherwise, massaging, cleansing, stimulating, exercising, beautifying or similar work on the scalp, face, neck, arms, legs, feet, bust or upper part of the body, or manicuring the nails of any person or adding nail tips, extensions, gels or other articles to nails, or performing desairology, the art and science of dressing the hair, nails and clothing of the deceased.

(10) **Cosmetology Salon.** Any place wherein cosmetology or any of its practices are followed, whether the place is known or designated as cosmetician, cosmetological or cosmetology salon or establishment or whether the person practicing cosmetology holds himself or herself out as a cosmetician, cosmetologist or beauty culturist or by any other name or designation indicating that cosmetology is practiced therein. A cosmetology salon shall have a managing or master cosmetologist on duty five days a week.

- (11) **Cosmetic Studio.** Any place where a demonstrator performs demonstrations for the advertisement or sale of cosmetics.
- (12) **Credit Unit Hours.** One credit unit hour equals one and one-fourth clock hours. A sufficient number of credit unit hours is necessary to provide a standardized curriculum in practice of cosmetology and related practices regulated by the board.
- (13) **Demonstrator.** A person not licensed in the state as a cosmetologist or cosmetologist instructor who performs demonstrations for the advertisement or sale of cosmetics by physically applying cosmetic preparations to the hair or body of another person.
- (14) **Esthetician.** Any person, not an apprentice or student, who engages in any of the following specialized practices generally recognized in the field of cosmetology: Skin care, make-up artistry, facials and body waxing.
- (15) **Esthetics Instructor.** An esthetician who teaches skin care or any practices thereof in a duly registered school of cosmetology or esthetics.
- (16) **Esthetics Salon.** Any place, not a cosmetology salon, where skin care or any of its practices are followed. An esthetics salon shall have manager or master cosmetologist or managing or master esthetician on duty five days a week.
- (17) **Esthetics Student Instructor.** An esthetician who is receiving instruction in teacher's training in skin care in a duly registered school for estheticians or school of cosmetology.
- (18) **Managing Cosmetologist.** A cosmetologist who manages or conducts a cosmetology salon or school of cosmetology.
- (19) **Managing Esthetician.** Any person who manages or conducts an esthetician salon.
- (20) **Managing Manicurist.** Any person who manages or conducts a manicurist salon.
- (21) **Manicurist.** Any person, not an apprentice or a student, who engages only in the practice of manicuring, adding nail tips, extensions, gels, or otherwise grooming the nails of another person.
- (22) **Manicurist Instructor.** A manicurist who teaches nail care or any practices thereof in a duly registered school of cosmetology or manicuring.
- (23) **Manicurist or Nail Salon.** Any place, not a cosmetology salon, wherein manicuring or any of its practices are followed. A manicurist salon shall have managing or master cosmetologist or manager or master manicurist on duty five days a week.
- (24) **Manicurist Student Instructor.** A manicurist who is receiving instruction in teacher's training in nail care in a duly registered school of manicuring or school of cosmetology.
- (25) **Master Cosmetologist.** A managing cosmetologist who has completed an approved course of study in continuing education within a licensing period and has paid an original licensing fee as established by the board. A master cosmetologist license is an optional license which may be renewed by the licensee concurrently with his or her managing license.

- (26) **Master Esthetician.** A managing esthetician who has completed an approved course of study in continuing education within a licensing period and has paid an original licensing fee as established by the board. A master esthetician license is an optional license which may be renewed by licensee concurrently with his or her managing license.
- (27) **Master Manicurist.** A managing manicurist who has completed an approved course of study in continuing education within a licensing period and has paid an original licensing fee as established by the board. A master manicurist license is an optional license which may be renewed by licensee concurrently with his or her managing license.
- (28) **Place of Cosmetology.** A place where cosmetology is practiced on members of the public for compensation and a place where cosmetology is taught to student apprentices.
- (29) **School for Estheticians.** Any place wherein only skin care or any of its practices are taught, whether the place is known, operated, or designated as a school for estheticians, or otherwise, indicating that skin care is taught therein to students.
- (30) **School of Cosmetology.** Any place wherein cosmetology or any of its practices are taught, whether the place is known, operated, or designated as a cosmetician or cosmetological school or establishment, or otherwise, indicating that cosmetology is taught therein to students.
- (31) **School of Manicuring.** Any place wherein only manicuring or any of its practices are taught, whether the place is known, operated, or designated as a school of manicuring, or otherwise, indicating that manicuring is taught therein to students.
- (32) **Shampoo Assistant.** Any person who is licensed as a shampoo assistant, meets all of the requirements for a health certificate, and engages only in the practices of shampooing, cleaning, or applying temporary weekly color rinses to the hair of any person.
- (33) **Student Cosmetologist.** Any person who is engaged in the learning or acquiring of any or all practices of cosmetology, and while so learning performs or assists in any of the practices of cosmetology in a school of cosmetology under the instruction or immediate supervision of an instructor cosmetologist.
- (34) **Student Esthetician.** Any person who is engaged in the learning or acquiring of any or all practices of an esthetician and, while so learning, performs or assists in any of the practices of skin care in a school for estheticians or school of cosmetology under the instruction or immediate supervision of an instructor esthetician or instructor cosmetologist.
- (35) **Student Manicurist.** Any person who is engaged in the learning or acquiring of any or all practices of manicuring and, while so learning, performs or assists in any of the practices of manicuring in a school of manicuring or school of cosmetology under the instruction or immediate supervision of an instructor manicurist or instructor cosmetologist

### **Section 34-7A-2: Penalties.**

Any person who practices, maintains a school, maintains a salon, or acts in any capacity without a certificate or license when one is required pursuant to this chapter, or who otherwise violates any provision of this chapter, shall be guilty of a misdemeanor and fined no more than five hundred dollars (\$500) or imprisoned for no more than 90 days, or both. Any corporation which acts in violation of any provision of this chapter shall be punished by a fine of no more than one thousand dollars (\$1000).

### **Section 34-7A-3: Board of Cosmetology.**

(1) There is created the Alabama Board of Cosmetology which shall consist of seven persons appointed by the Governor, with the advice and consent of the Senate. The seven members shall consist of the seven members of the existing Board of Cosmetology. One member shall be appointed from each congressional district, as those districts are constituted on June 3, 1999. At least five of the members of the board shall be active licensed master cosmetologists or instructor cosmetologists who reside in the district he or she represents and two of the members may be consumers. The membership of the board shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state.

(2) The terms of all current members of the board shall continue upon June 3, 1999, and the seven-person board as constituted on that date shall continue as the board under this chapter. As terms expire, successor board members shall be appointed by the Governor, with the advice and consent of the Senate. All appointments shall be for a term of four years. No person shall serve for more than two terms on the newly-constituted board. Vacancies on the board shall be filled by the Governor, with the advice and consent of the Senate, for the unexpired terms. Any board member may be removed by the Governor for just cause.

(3) Any cosmetologist serving as a member of the board shall have at least five years of practical experience in the majority of the practices of cosmetology.

(4) The board may do all things necessary and convenient for enforcing this chapter. The board may from time to time promulgate necessary rules and regulations compatible with this chapter. The board shall compile and publish all rules and regulations, together with a copy of this chapter, and distribute the same to all licensees. Any amendment to this chapter or the rules and regulations of the board shall be published by the board and distributed to all licensees. Distributed copies shall be retained in each salon or school licensed by the board and shall be made available for inspection by salon or school personnel and the general public during normal operating hours.

(5) The board shall establish the recommended number of credit unit hours, including all phases necessary to produce competent practitioners, in each profession regulated by the board. The board shall also promulgate guidelines for approved seminars of continuing education.

(6) All rules and regulations promulgated by the board prior to June 3, 1999, are repealed. The board shall adopt rules and regulations pursuant to the Administrative Procedure Act, Chapter 22 of Title 41, to implement this chapter.

**Section 34-7A-4: Board Officers, Personnel.**

(1) The members of the board shall annually elect from among their membership a president, a secretary, and a treasurer. The board members, before entering upon the discharge of their duties, shall each file with the State Treasurer a good and sufficient bond in the penal sum of five thousand dollars (\$5,000), payable to the state to insure the faithful performance of his or her duties. The premium on the bond shall be paid out of the funds of the board. The bond, with the approval of the board and oath of office endorsed thereon, shall be deposited and kept within the office of the Secretary of State. The treasurer of the board shall file with the State Treasurer a good and sufficient bond in the penal sum of twenty-five thousand dollars (\$25,000), payable to the state to insure the faithful performance of his or her duties as treasurer. The premium on the bond shall be paid out of the funds of the board.

(2) The position of executive director shall be appointed by the Governor in the unclassified service as provided for in Section 36-26-10. The executive director serving on June 3, 1999, unless appointed by the Governor on or after January 17, 1999, shall vacate his or her office immediately upon the Governor appointing an executive director to that position pursuant to this subsection. Vacancies in the position of executive director shall be filled by appointment of the Governor. The executive director shall serve at the pleasure of the Governor. The executive director shall hire all necessary employees of the board, subject to the State Merit System.

(3) Additional personnel may be employed by the board, with the approval of the executive director. A minimum of eight inspectors shall be employed by the board. Inspectors shall be paid the same mileage and per diem rate as other state employees. The compensation of personnel shall be paid out of the funds received by the board. The board shall establish job descriptions and duties for each employee, consistent with merit system employee guidelines of the State Personnel Board.

**Section 34-7A-5 : Board Compensation, etc**

Each member of the board shall be paid one hundred dollars (\$100) per day for transaction of board business, not to exceed 50 days during any calendar year. The board members shall also be paid the same mileage and per diem rate as other state employees from funds received by the board. Monies deposited in the State Treasury for the benefit of the board, shall be disbursed only upon warrant of the State Comptroller upon the State Treasury, upon itemized vouchers signed by the president and treasurer of the board or their authorized designees. Any money remaining in this fund at the end of each fiscal year shall remain on deposit in the State Treasury for the use of the board.

#### **Section 34-7A-6 : Board Meetings.**

The board shall meet at such times and places as a majority of the members shall agree upon. A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall prescribe rules for its governance and shall adopt an official seal for the authentication of board transactions.

#### **Section 34-7A-7 Application for exam/licensure.**

(1) Any person who desires to engage in any of the practices regulated by the board pursuant to this chapter shall file with the board a written application for examination or licensure. The application shall be accompanied by a certificate of health, verified by a licensed physician, specifying the dates and results of chest X-rays or skin tests performed during the year immediately preceding application. An application for examination shall include the payment of a nonrefundable fee for each examination or reexamination of an applicant.

(2) Examination of an applicant for licensure shall be conducted pursuant to a procedure prescribed by the board. The procedure shall not be confined to any specific system or method and examinations shall be consistent with the prescribed curriculum for schools.

(3) Any applicant who fails the state board examination on the first attempt may have his or her temporary permit extended until the next scheduled examination. Any applicant who fails the state board examination on the second attempt shall complete an additional 375 clock hours in the appropriate school or complete an additional 600 clock hours of training in the appropriate salon or shop before a third attempt is permitted. Any student instructor who fails the examination on two attempts shall complete an additional 650 clock hours of training before a third attempt is permitted. On a third attempt, an applicant shall be required to take the entire examination.

(4) The licensure examination of a student instructor of cosmetology, skin care, or manicuring shall be conducted by an instructor of the same profession.

#### **Section 34-7A-8 Records; register of applicants.**

(1) The board shall keep a permanent record of its proceedings. That record and all other books and records maintained by the board shall be public information, shall be prima facie evidence of matters therein contained, and shall at all reasonable times be open for public inspection.

(2) The board shall keep a register of all applicants for a certificate or licensure. The register shall include, but not be limited to, all of the following information:

(A) The name, address, county of residence, and phone number of each applicant.

(B) The birth date and social security number of each applicant.

(C) The type of certificate or license applied for and the date of application.

(D) Whether the applicant was granted or refused a certificate or license, and if refused, the reason for the refusal.



### **Section 34-7A-9 Licenses and Permits**

(1) A license or permit issued under the seal of the Board and signed by the secretary of the Board shall entitle the holder to practice the profession listed on the license or permit.

(2) To receive a personal license, an applicant shall meet any of the following requirements or conditions:

(A) Satisfy legal requirements, complete required hours as an apprentice or student, pay the appropriate examination fee, pass the appropriate examination and pay the required license fee.

(B) Be currently licensed in good standing in another state or jurisdiction, provide documentation of having passed a Board approved examination and pay the required license fee.

(C) Be currently licensed in good standing in another state or jurisdiction, provide documentation of having practiced as a licensee in the appropriate field for at least five years before application, and pay the required license fee.

(D) Be otherwise qualified, pay the appropriate examination fee, pass the appropriate examination, and pay the required license fee.

(3) A personal license shall expire on the last day of the birth month of the licensee in odd-numbered years. An application for renewal received more than five (5) days after the expiration date shall be assessed a late penalty fee.

(4) To receive a business license an applicant shall satisfy legal requirements and pay the required license fee.

(5) A business license shall expire on the last day of September in odd-numbered years. An application for renewal received more than thirty-one (31) days after expiration date shall be assessed a late penalty fee.

### **Section 34-7A-10 Payment of Fees**

Fees for examination, licensure and certification shall be paid in advance to the board and deposited each month into the State Treasury to the credit of a fund for the use of the board.

### **Section 34-7A-11 Fee Schedule**

A fee schedule established by the board shall include, but not be limited to, all of the following:

- (1) Original issuance and renewal fees for any personal license regulated by the board.
- (2) Fees for upgrading a personal license during the renewal period and for upgrading a personal license to a manager or master license.
- (3) Renewal fees for a personal license on inactive status.
- (4) Fees for restoring an inactive license to active status.
- (5) Original issuance and renewal fees for salons, booth renters, and cosmetic studios.
- (6) Original issuance and renewal fees for schools of cosmetology, schools of manicuring, and schools for estheticians.
- (7) Original issuance and renewal fees for applicants seeking licensure by reciprocity.
- (8) Penalty fees for late renewal of any license.
- (9) Examination and reexamination fees for students in public or private schools.

### **Section 34-7A-12 Change of Name or Address**

(1) A personal licensee shall notify the board immediately of any name or address change and the board shall retain that information on file for renewal and inspection purposes.

(2) Each salon, booth renter, and cosmetic studio shall notify the board immediately of any name or address change and the board shall retain that information on file for renewal and inspection purposes.

(3) Each salon, booth renter, and cosmetic studio which relocates to a different county shall obtain a new license from the board before moving.

### **Section 34-7A-13: School Registration**

(1) Application for school registration shall be filed with the board on forms provided by the board.

(2) No school shall be granted a certificate of registration unless all of the following requirements are satisfied:

- (A) The school employs and maintains two competent instructors, at least one for every 20 students in attendance, at any one time. If the school has more than 20 students enrolled, the school shall employ an additional instructor. If the school has less than 20 students enrolled, the school shall employ one instructor and one on-call instructor.
- (B) The school possesses apparatus and equipment sufficient for the proper and complete teaching of all subjects in its curriculum.
- (C) The school keeps a daily attendance record of each student.
- (D) The school maintains regular classes and instruction hours, establishes grades, and conducts examinations before issuing diplomas.

- (E) The school requires a school term of training for a complete course with the minimum number of hours therein prescribed.
  - (F) The school includes practical demonstrations, theoretical studies, and study in sanitation, sterilization, other safety measures and the use of antiseptics, cosmetics, and electrical appliances, consistent with the practical and theoretical requirements applicable to cosmetology or any practice of either.
  - (G) The school certifies that all furniture, equipment, tools, appliances, floors, and ceilings, are kept in a clean, sanitary, and safe condition.
- (3) A school that enrolls student instructors shall not have at any one time more than two student instructors for each licensed instructor actively engaged in the school. A school engaged only in the teaching of estheticians or manicurists shall not be required to provide instruction in other practices of cosmetology but shall meet all other requirements imposed by the board upon a school of cosmetology pertaining to instructors, attendance records, enrollments, and other matters.

**Section 34-7A-14 Display of Certificate.**

Each holder of a certificate or license granted by the board shall display the certificate or license in a conspicuous place in his or her principal office, place of business, or place of employment, and each license or certificate shall have attached thereto a picture of the licensee made not more than three years prior to the date the license was issued.

**Section 34-7A-15 Refusal, Revocation of Certificate or License.**

(1) The board may refuse to grant, or may revoke or suspend a license or a certificate of registration upon proof of violation of this chapter or any rule or regulation promulgated by the board.

The board may, for any of the following reasons, refuse to grant or renew, or may revoke or suspend the license or certificate of registration of any applicant, licensee, or holder who:

- (A) Is found guilty of fraud or dishonest conduct in taking the examination.
  - (B) Has been convicted of a felony or gross immorality, or is guilty of grossly unprofessional or dishonest conduct.
  - (C) Is addicted to the excessive use of intoxicating liquor or to the use of drugs to an extent that he or she is rendered unfit to practice any profession regulated by the board.
  - (D) Advertises by means of knowingly false or deceptive statements.
  - (E) Fails to display his or her license or certificate as required by this chapter.
- (2) The board may not refuse to grant, refuse to renew, revoke, or suspend any license or certificate without a hearing. The affected applicant, licensee, or holder of a certificate shall be given at least 20 days' notice in writing of the hearing, specifying the reasons for the action by the board and any offense charged. Notice may be served by registered or certified mail to the last known residence or business address of the applicant, licensee, or holder of a certificate. The hearing shall be held in Montgomery County at a time and place prescribed by the board.
- (3) In addition to any disciplinary powers authorized by this section, the board may levy and collect an administrative fine of not more than five hundred dollars (\$500) per violation for serious violations of this chapter or the rules or regulations of the board.

#### **Section 34-7A-16: Findings and Orders of Board.**

Any finding or order of the board, obtained pursuant to an inquiry or hearing conducted before a majority of the members of the board, shall be deemed the finding or order of the board when approved and confirmed by a majority of the members of the board.

#### **Section 34-7A-17: Appeal**

Notwithstanding any other provision of law, a person who has exhausted all administrative remedies available through the board, other than a rehearing, and who has been aggrieved by a final decision in a contested case, shall be entitled to an appeal in accordance with Section 41-22-20. A decision by the board to refuse to issue or renew a license, or to revoke, suspend, or otherwise restrict a license or limit or otherwise discipline a licensee, shall be subject to those provisions regarding stays pursuant to subsection (c) of Section 41-22-20. A decision that a candidate for licensure has failed any examination given by the board shall not be considered a final order reviewable by any court.

#### **Section 34-7A-18: Construction of Chapter**

This chapter shall not be construed to affect or regulate the teaching of cosmetology or any of its practices in any public school.

#### **Section 34-7A-19: Exemptions from Chapter**

(1) This chapter shall not apply to any of the following activities or services:

(A) Service in the case of emergency or domestic administration, without compensation.

(B) Services by persons authorized under the laws of this state to practice medicine, surgery, dentistry, chiropody, osteopathy, or chiropractic or the occupation of a masseur.

(C) The services by any barber, including barber's apprentices and shop boys, when engaged in any of the following practices:

1. Arranging, cleaning, cutting, styling, dressing, curling, applying permanent curling or styling solution, waving, bleaching, coloring, applying any cosmetic chemical preparation to or singeing the hair of any person.

2. Massaging, cleansing, stimulating, exercising, or similar work upon the scalp, face, or neck of any person with the hands, or with mechanical or electrical apparatus or appliance, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(D) The services of personnel of the United States Army, Navy, Air Force, or Marine Corps.

(E) The services of registered nurses doing any of the acts or works defined as cosmetology.

(F) To the teaching or practice of cosmetology in training public school or trade school pupils.

(G) To any person who only occasionally dresses hair and receives no compensation therefore, or does any other act or thing mentioned in this chapter without holding himself or herself out to the public as a practicing cosmetologist.

(H) To any public trade school or other public school or school program under the purview of the State Board of Education or a local board of education.

(I) To departments in retail establishments where cosmetics are demonstrated and offered for sale but where no other acts of cosmetology are performed.

(2) Any person who knowingly interferes with any service, practice, or action exempted from this chapter shall be guilty of a Class A misdemeanor.

#### **Section 34-7A-20 Duration, Renewal, Restoration of License**

(1) No license issued by the board shall be valid for more than two years.

(2) An expired license may be reinstated within three (3) years after the date of expiration by paying renewal fees for the lapsed period, a current renewal fee and a late fee.

(3) A license which has been expired for more than three (3) years may be reinstated by furnishing proof of prior licensure, paying the appropriate examination fee, passing the appropriate practical examination and paying renewal fees for the lapsed period, the current renewal fee and a late fee.

(4) The record of any licensee, student, apprentice or examination candidate who does not renew within four (4) years or which does not indicate any activity for four (4) years may be purged by the Board.

#### **Section 34-7A-21: Salon, Shop or Booth License.**

Any person desiring to obtain a salon license, shop license, or booth license shall submit a written request to the board for an application. A salon or shop that loses its managing or master licensee shall immediately notify the board, hire a new manager or master licensee, and submit an affidavit completed by the new manager or master to the board.

#### **Section 34-7A-22 Qualifications for Examination**

No person may be admitted to examination, registered, licensed, or issued a certificate by the board unless he or she possesses the following applicable qualifications:

(1) **Apprentice.** A cosmetologist, esthetician, or manicurist apprentice shall be registered with the board upon beginning an apprenticeship in a licensed shop or salon and paying the original registration fee. An apprentice shall be at least 16 years of age at the time of registration and shall have an education equivalent to the completion of 10 grades in school. Any salon or shop which trains an apprentice shall immediately file with the board the name and age of the apprentice, and the board shall retain that information in a register kept for that purpose. An apprentice shall not be concurrently enrolled in a school licensed pursuant to this chapter except for six hours of theory training per week. An esthetician salon may only train an apprentice esthetician for license under the direction of a master or instructor esthetician. A manicurist salon may only train an apprentice manicurist for license under the direction of a master or instructor manicurist.

**(2) Cosmetologist.** Except as otherwise provided in this chapter, no person may be licensed as a cosmetologist in any one or a combination of the practices of cosmetology unless he or she pays the original licensing fee, has an education equivalent to the completion of 10 grades in school, has passed the applicable examination to the satisfaction of the board, and has successfully completed either of the following:

(A) A complete course of cosmetology, consisting of all or a majority of the practices thereof, in a school of cosmetology, consisting of not less than 1,200 credit unit hours nor more than 1,700 actual clock hours of continuous training, not exceeding eight hours a day, or a course of study in a public school or trade school consisting of not less than 1,200 credit unit hours nor more than 1,700 actual clock hours of training.

(B) An apprenticeship in a cosmetology salon for not less than 3,000 hours of training over a maximum three year period, not exceeding eight hours a day.

**(3) Cosmetology Instructor.** Except as otherwise provided in this chapter, no person may be licensed as an instructor in any one or a combination of the practices of cosmetology unless he or she pays the original licensing fee, is a licensed cosmetologist, and, to be eligible for admission to examination, has successfully completed either of the following:

(A) Not less than 1,250 credit unit hours nor more than 1,700 actual clock hours in a teacher's training course in cosmetology in a school of cosmetology, or a course of study in a public school or trade school consisting of not less than 1,250 credit unit hours nor more than 1,700 actual clock hours of training.

(B) At least one year of experience as an active practicing cosmetologist before enrollment as a student instructor, supplemented by not less than 650 hours in a teacher's training course in cosmetology in a school of cosmetology.

(C) To be eligible to enroll in a teacher's training course, a cosmetologist shall have an education equivalent to the completion of 12 grades in school.

(D) A cosmetology instructor shall complete 16 hours of course study in continuing education from a board-approved seminar during each licensing period.

**(4) Demonstrator.** A demonstrator shall obtain a license from the board before conducting a demonstration. The requirements for a demonstrator's license include, but are not limited to, submission to the board of a health card, two photographs, a notarized application, and the applicable fee.

**(5) Esthetician.** Except as otherwise provided in this chapter, no person may be licensed as an esthetician unless he or she pays the original licensing fee, has an education equivalent to the completion of 10 grades in school, has passed the applicable examination to the satisfaction of the board, and has successfully completed either of the following:

(A) A complete course of skin care, consisting of all or a majority of the practices thereof, in a school of cosmetology or school for estheticians, consisting of not less than 1,200 credit unit hours nor more than 1,700 actual clock hours of continuous training, not exceeding eight hours a day, or a course of study in a public school or trade school consisting of not less than 1,200 credit unit hours nor more than 1,700 actual clock hours of training.

(B) An apprenticeship in a cosmetology salon or esthetician salon for not less than 3,000 hours of training over a maximum three year period, not exceeding eight hours a day.

**(6) Esthetics Instructor.** Except as otherwise provided in this chapter, no person may be licensed as an esthetician instructor unless he or she pays the original licensing fee, is a licensed cosmetologist or esthetician, and, to be eligible for admission to examination, has successfully completed not less than 1,250 credit unit hours nor more than 1,700 actual clock hours in a teacher's training course in skin care in a school of cosmetology or school for estheticians. To be eligible to enroll in a teacher's training course, an esthetician shall have an education equivalent to the completion of 12 grades in school. An esthetician instructor shall complete 16 hours of course study in continuing education from a board-approved seminar during each licensing period.

**(7) Managing Cosmetologist.** Except as otherwise provided in this chapter, no person may be licensed as a managing cosmetologist unless he or she pays the original licensing fee, is a licensed cosmetologist, and has held an active license for at least one year before application.

**(8) Managing Esthetician.** Except as otherwise provided in this chapter, no person may be licensed as a managing esthetician unless he or she pays the original licensing fee, is a licensed esthetician, and has held an active license for at least one year before application.

**(9) Managing Manicurist.** Except as otherwise provided in this chapter, no person may be licensed as a managing manicurist unless he or she pays the original licensing fee, is a licensed manicurist, and has held an active license for at least one year before application.

**(10) Manicurist.** Except as otherwise provided in this chapter, no person may be licensed as a manicurist unless he or she pays the original licensing fee, has an education equivalent to the completion of 10 grades in school, has passed the applicable examination to the satisfaction of the board, and has successfully completed either of the following:

(A) A complete course of manicuring, consisting of all or a majority of the practices thereof, in a school of cosmetology or school of manicuring, consisting of not less than 600 credit unit hours of continuous training, not exceeding eight hours a day, or a course of study in a public school or trade school consisting of not less than 600 credit unit hours of training.

(B) An apprenticeship in a cosmetology salon or manicurist salon for not less than 1,200 hours of training over a maximum three year period, not exceeding eight hours a day.

**(11) Manicurist Instructor.** Except as otherwise provided in this chapter, no person may be licensed as a manicurist instructor unless he or she pays the original licensing fee, is a licensed cosmetologist or manicurist, and, to be eligible for admission to examination, has successfully completed either of the following:

(A) Not less than 1,250 actual clock hours in a teacher's training course in manicuring in a school of cosmetology or school of manicuring, or a course of study in a public school or trade school consisting of not less than 1,250 actual clock hours of training.

(B) At least one year of experience as an active practicing cosmetologist or manicurist before enrollment as a student instructor, supplemented by not less than 650 hours in a teacher's training course in cosmetology or manicuring in a school of cosmetology or school of manicuring.

(C) To be eligible to enroll in a teacher's training course, a manicurist shall have an education equivalent to the completion of 12 grades in school.

(D) A manicurist instructor shall complete 16 hours of course study in continuing education from a board approved seminar during each licensing period.

**(12) Masters.** Any person licensed as a managing cosmetologist, managing esthetician, or managing manicurist, who pays the original licensing fee and completes a course of study in continuing education approved by the board within a licensing period, may be issued a master license. The master license is an optional license available upon renewal to those licensees who voluntarily complete the continuing education requirements.

**(13) Student Cosmetologist.**

(A) Upon certification of enrollment by a school of cosmetology, the name and birth date of each student cosmetologist shall be entered by the board in a register kept for that purpose. A student cosmetologist shall be at least 16 years of age at the time of registration and shall have an education equivalent to the completion of 10 grades in school. Registration with the board shall be on forms provided by the board.

(B) A student who has completed 70 percent of the required school instructional hours may, when school is not in session, work in a cosmetology salon. One student trainee shall be allowed for the first master or managing cosmetologist and one additional student trainee shall be allowed for each three additional cosmetologists on staff.

(C) Within 90 days after a student completes the required school instructional hours and training, the appropriate instructor shall schedule an examination of the student with the board. If application for examination is not received within the 90 day period, the applicable instructional hours and training shall be invalidated.

**(14) Student Esthetician.**

Upon certification of enrollment by a school of cosmetology, or school for estheticians, the name and birth date of each student esthetician shall be entered by the board in a register kept for that purpose. A student esthetician shall be at least 16 years of age at the time of registration and shall have an education equivalent to the completion of 10 grades in school.

**(15) Student Instructor.**

Upon certification of enrollment by a school of cosmetology, school for estheticians, or school of manicuring, the name, birth date, and qualifications of each student instructor shall be entered by the board in a register kept for that purpose. At the time of enrollment, a student instructor shall be licensed as a cosmetologist, esthetician, or manicurist and shall have an education equivalent to the completion of 12 grades in school. Upon completing the instructional course prescribed for student instructors, a student instructor may apply to the board for examination, on a form provided by the board, and pay any applicable examination fee. Any applicant who passes the examination to the satisfaction of the board and pays the original licensing fee of an instructor shall be issued an instructor's license by the board. A school for estheticians may only train esthetician student instructors for licensure. A school of manicuring may only train manicurist student instructors for licensure.



**(16) Student Manicurist.**

Upon certification of enrollment by a school of cosmetology or school of manicuring, the name and birth date of each student manicurist shall be entered by the board in a register kept for that purpose. A student manicurist shall be at least 16 years of age at the time of registration and shall have an education equivalent to the completion of 10 grades in school.

**Section 34-7A-23 : Teacher's Permit.**

The board may issue a teacher's permit to any person licensed to practice in any field related to cosmetology, skin care, or manicuring. Before a permit is issued, licensee shall apply to board, pay applicable fee, and provide proof of qualifications. A teacher's permit entitles holder to teach theory only in field in which he or she is licensed to practice.

**Section 34-7A-24 Licensure, etc. Under Former Chapter.**

For the purpose of this chapter, any person or entity properly licensed, certified, or registered by the Alabama Board of Cosmetology on June 3, 1999, shall be similarly licensed, certified, or registered by the Alabama Board of Cosmetology as created by this chapter, without penalty, for the time remaining on the license of the licensee.

**Section 34-7A-25 : Continuation of Board.**

The existence and functioning of the Alabama Board of Cosmetology, created and functioning pursuant to Sections 34-7-1 to 34-7-47, inclusive, is continued pursuant to this newly-created chapter. All rights, duties, property, real or personal, and all other effects existing in the name of the Alabama Board of Cosmetology, or in any other name by which the board has been known, shall continue in the name of the Alabama Board of Cosmetology. Any reference to the Alabama Board of Cosmetology, or any other name by which the board has been known, in any existing law, contract, or other instrument shall constitute a reference to the Alabama Board of Cosmetology as created in this chapter. All actions of the Alabama Board of Cosmetology lawfully done prior to June 3, 1999, by the board or by the executive director, are approved, ratified, and confirmed. The board as constituted on June 3, 1999, shall constitute the board under this chapter.